



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ROBERT CAMPBELL,

Defendant.

**APPEAL OF A MAGISTRATE
JUDGE'S DECISION TO A DISTRICT
COURT JUDGE**

23-MR-490-5

Notice is hereby given that defendant, Robert Campbell, appeals to the United States District Court for the Western District of New York from the Order of United States Magistrate Judge H. Kenneth Schroeder, Jr., in *United States v. Robert Campbell*, 23-MJ-63-HKS, entered on November 7, 2023. (Dkt. No. 4).

Mr. Campbell is presumed innocent. His fundamental right to liberty has been restrained, despite that “[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception,” *United States v. Salerno*, 481 U.S. 739, 755 (1987). Because the District Court must “reach its own independent conclusion” *United States v. Leon*, 766 F.2d 77, 80 (2d Cir. 1985) whether there are zero conditions that can reasonably assure Mr. Campbell’s appearance or the safety of the community, it is requested that the District Court set an immediate hearing without submission deadlines and transcript requests that will delay the proceeding.

Dated: Buffalo, New York, November 8, 2023

/s/ Jeffrey T. Bagley

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